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BY HAND

Magalie Roman Salas

Secretary

Federal Communications Commission

Room 222

1919 M Street, NW

Washington, D.C. 20554

EX PARTE OR LATE FILED

September 24, 1999

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FILE NO. 023544-0001

Re: Ex Parte Communication Concerning Inside Wiring
(Docket No. 88-57)

Dear Ms. Salas:

Yesterday, Ben Almond of BellSouth Corporation and I met with Dorothy Atwood of the Chairman's office concerning the above-captioned proceeding. We discussed the Second Further Notice of Proposed Rule Making and urged adoption of the inside wiring quality standard proposed by BICSI. The attached materials were left behind. An original and one copy of this letter (including attachments) are being filed with your office. Please direct any questions concerning this matter to me.

Very truly yours,



Karen Brinkmann

cc: Dorothy Atwood

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CC DOCKET NO. 88-57

REVIEW OF SECTION 68.213 OF THE COMMISSION'S RULES

**PETITION FOR RULEMAKING FILED BY BICSI (THE BUILDING INDUSTRY CONSULTING SERVICE
INTERNATIONAL) ON AUGUST 22, 1995**

AND

SECOND FURTHER NOTICE OF PROPOSED RULE MAKING ISSUED JUNE 17, 1997

HISTORY

1984	Commission adopts Section 68.213, which allows customers to attach CPE to the telephone network.
1986	Commission detariffs the installation and maintenance of simple inside wiring.
late 1980s	BellSouth first becomes aware of crosstalk problem in isolated new home developments.
Nov. 1993	United Telephone of Florida initiates discussion of crosstalk interference at FCC Industry Meeting.
Mar. 1994	BellSouth reports on crosstalk problem at an FCC Ad Hoc Administrative Procedures Working Group Meeting in Clearwater, Florida. Industry is supportive.
Mar. 1995	<i>Ex parte</i> meeting between industry and staff discussing best approach.
Aug. 1995	BICSI files a Petition for Rulemaking requesting adoption of Category 3 or higher wire quality standard. Categories developed by ANSI EIA/TIA in collaborative effort in early 1990s.
	BICSI standard receives overwhelming support from some of the most ardent deregulatory proponents. (carriers continue to press in ex partes -- for example May 28, 1997 letter from BellSouth, Pacific Bell, and Nynex).
June 1997	Commission releases Second Further NPRM addressing BICSI Petition.
Aug. 1997	SFNPRM comment period closed.
March 1996	BellSouth <i>ex parte</i> meeting with Network Services Division staff.
April 1998	BellSouth submits <i>ex parte</i> Memorandum in Support of Proposed Rule Changes, addressing all open issues in the proceeding.
May 1998	BellSouth <i>ex parte</i> meeting with Common Carrier Bureau chief and staff.
June 1998	United Homeowners Association <i>ex parte</i> letter in support of industry position.
August 1998	CCB-NSD Request for Information to manufacturers and homebuilders.
October 1998	BellSouth <i>ex parte</i> meeting with CCB Deputy Chief and staff.

BELLSOUTH CORPORATION *EX PARTE* PRESENTATION SEPTEMBER 23, 1999
Docket 88-57, Second Further NPRM (Released June 12, 1997)

Poor quality inside wiring affects hundreds of thousands of customers throughout the United States, and the problem is rapidly worsening. The Commission should return to a simple inside wire quality standard supported by consumers and the industry.

- ◆ **Substandard wiring in homes and businesses with one to four lines leads to **crosstalk**.**
 - ☆ Carriers are increasingly dispatching technicians on service calls where the problem turns out to be crosstalk. BellSouth estimates that it handles some 90,000 such cases annually.
 - ☆ The problem is escalating due to second line growth and use of higher frequency services such as **ISDN** and **ADSL**, requiring replacement of inferior inside wiring.
- ◆ **The marketplace cannot cure the problem -- consumers pay the price.**
 - ☆ Customers own the wire, thanks to FCC deregulation -- but they usually don't choose it. Home builders/contractors who select the wire often are not aware of the need, or lack an incentive, to install high-quality wiring.
 - ☆ When consumers later install additional lines and experience crosstalk, they cannot get redress from the builder, and must pay significant rewiring costs.
- ◆ **The FCC should update FCC Part 68 standards for inside wire in accordance with BICSI's recommendation:** 2-pair or 4-pair inside wire, ANSI/EIA/TIA category 3 requirements; twisted pair wiring, 24 AWG, attenuation/frequency limits.
- ◆ **The industry will enforce** a Commission-mandated standard. The key is early detection of inferior wire, through free inspections or during initial installation of telephone service.
 - ☆ BellSouth and other carriers will promote the federal standard to the building industry and homeowners, and thereby discourage the installation of inferior wire.
 - ☆ A federal rule will encourage inclusion of wiring standards in building codes.
 - ☆ Consumers will have grounds for redress from the contractor who installs inferior wire.
- ◆ **The Commission Should Act Swiftly.**
 - ☆ The rulemaking petition was filed August 1995 by Building Industry Consulting Service International (BICSI) -- **more than 4 years ago**.
 - ☆ The standard is supported by **service providers** (GTE, Bell Atlantic, BellSouth), a major **standards association** (TIA), the largest **inside wire manufacturer**, Cable Systems International, **and consumers**, through the United Homeowners' Association. There was no opposition to adopting a wire quality standard.



UNITED HOMEOWNERS ASSOCIATION

June 5, 1998

Ms. Magalie Roman Sales
Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

Re: Second Further Notice of Proposed Rule Making
CC Docket No: 88-57

Dear Ms. Sales:

United Homeowners Association (UHA) urges the Commission to adopt the wire quality standard proposed by the Building Industry Consulting Services International ("BICSI") in the above-referenced proceeding. UHA is a not for profit membership organization representing the interests of America's 65 million homeowners.

UHA is aware of a number of reported cases across the country where substandard inside wiring has caused crosstalk interference problems, often arising when a homeowner adds additional lines over already installed wiring. Such crosstalk disrupts transmissions and jeopardizes the security and privacy of callers.

BICSI's proposal is a reasonable solution to this escalating problem. BICSI and other commenters demonstrate that crosstalk can be virtually eliminated by the use of good quality wire, which differs in cost from inferior wire by only a negligible amount. If this very small initial investment in quality wire is not done at the outset, the costs of correcting the crosstalk problem increases dramatically. Often the only solution is to replace the inside wiring. In all likelihood, the homeowner alone foots the bill for this wire replacement.

The Commission's goal in deregulating inside wire was to stimulate competition to provide consumers with greater choice. However, consumers are not in a position to protect themselves from the installation of inferior wire. In fact, consumers may not even realize this problem exists until it is too late. This is because wiring is traditionally selected and installed by home builders and subcontractors without input from the home owner. Even though a voluntary industry standard exists today, it does not adequately

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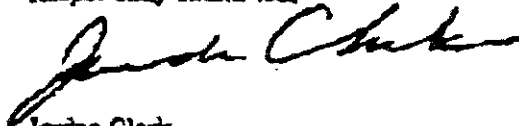
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protect the uninformed consumer or the consumer that buys a home after the wiring decision has been made. In addition, some home builders and contractors continue to install substandard wire, in spite of the voluntary industry standard. The Commission's adoption of a wire quality standard will protect consumers without undermining competition in wire installation and wire manufacturing.

Moreover, as greater service demands are placed on the copper wire inside the home, we expect that the problems caused by inferior wire will be exacerbated. Like BICSI and other commenters, we believe that the adoption of a wire quality standard will provide consumers with a smooth transition to high frequency transmission and advanced data services. This should be a driving factor for the Commission in considering the adoption of this wire quality standard.

We respectfully urge the Commission to adopt immediately the wire quality standard proposed by BICSI. Each day finds new homes, condominiums and apartments across the country that are being built with inferior inside wiring. Further delay in the adoption of a standard only compounds the problem.

Respectfully submitted,



Jordan Clark

cc: Chairman William Kennard
Commissioner Susan Ness
Commissioner Gloria Tristano
Commissioner Michael Powell
Commissioner Harold Puchtgeth-Roth